

Remarks

Claims 16, 22 and 24 have been amended.

The Examiner has rejected applicant's claims 16-17, 22 and 24 under 35 U.S.C. § 102(e) as anticipated by the Saito patent (US Patent No. 6,317,878). This rejection is respectfully traversed.

The subject Amendment is being filed as a submission with a concurrently filed Request for Continued Examination (RCE). The RCE also requests that the Response After Final Under 37 CFR 1.116 filed on January 21, 2009 be entered and considered. Applicant's comments in the Response After Final are incorporated herein by reference and are believed to establish patentability of applicant's claims over the Saito patent. The claims have been further amended herein and these amendments are believed to further patentably distinguish the claims over the Saito patent.

More particularly, amended claim 16 recites a client terminal in which a software including a plurality of functions is installed and which is capable of communicating with a server apparatus, the terminal comprising: a setting unit, which sets for each the plurality of functions an enabled-state flag indicating that the function is usable or a disabled-state flag indicating that the function is unusable, wherein the function with the enabled-state flag is to be subjected to charging; a payment unit, which executes, every first predetermined period, payment processing of a predetermined price of the function with the enabled-state flag set by said setting unit; a time count unit, which counts a period in which the function with the enabled-state flag remains unused; a prohibition request unit, which automatically requests the server apparatus to prohibit use of the function with the enabled-state flag which remains

unused if the period counted by said time count unit exceeds a second predetermined period; a changing unit, which changes the enabled-state flag of the function which remains unused to the disabled-state flag in response to a response from the server apparatus to the request by said prohibition request unit; an icon display unit, which displays icons respectively corresponding to the plurality of functions such that each icon distinguishably shows whether the corresponding function is usable or unusable, in accordance with the enabled-state flag or the disabled-state flag set by said setting unit; and a permission request unit, which, in response to a user instruction, requests the server apparatus to permit use of the function with the flag changed from the enabled-state flag to the disabled-state flag by said changing unit, wherein, if said changing unit changes the enabled-state flag of the function which remains unused to the disabled-state flag, said icon display unit changes a display status of the icon for that function, wherein said changing unit changes the disabled-state flag of the function which remains unused to the enabled-state flag in response to a response from the server apparatus to the request by said permission request unit, and said payment unit executes the payment processing of the predetermined price of that function, and wherein said time count unit resets the period in which the function with the enabled-state flag remains unused when that function is used. Claims 22 and 24 have been similarly amended.

As can be appreciated from the above, the client terminal of the present invention is used with a system in which users are charged a predetermined amount every predetermined period, e.g., every month, for use of desired functions. The users can use any of the functions without limits (e.g., the number of printed sheets), if they pay fees regularly (e.g., monthly). According to the time count unit, prohibition request unit, and the changing unit as claimed, it is possible to automatically prohibit the use of a function which has not been used for a

predetermined period so as to avoid any undesirable charging. Furthermore, as newly recited, **the time count unit resets the period in which the function with the enabled-state flag remains unused when that function is used** (Fig. 8, S37), so that the prohibition process may be activated only for the functions with the enabled-state flag which remain unused. In addition, according to the permission request unit, when such automatically prohibited function becomes necessary, the user can manually place the function in a usable state at any time.

The Saito patent describes a system in which when a user pays a use fee specific to an expanded facility program 33, the table registration program 36 receives key data allocated to the expanded facility program 33 from the host system 4, and in which a value “1” indicating Use Enabled is set for the use enabling/disabling flag associated with the expanded facility program 33. See column 6, lines 42-52.

The Saito patent further discloses that it is judged at step ST5 of Fig. 5A whether a specified time has elapsed since the first turning on of the power supply (column 6, lines 5-41). This processing is executed such that use of all the expanded facility programs 33 may be enabled for a specified period after a user purchases the document assembly system 3 and then turns on the power supply of the system 3 (column 6, lines 53-61).

These disclosures in the Saito patent have no relation to the feature of counting a period in which the function with the enabled-state flag remains unused, or the feature of automatically requesting the server apparatus to prohibit use of the function which remains unused if the counted period exceeds a second predetermined period. The Saito patent therefore fails to teach or suggest the claimed time count unit or prohibition request unit. It follows that the Saito patent also fails to teach or suggest the claimed changing unit, which

changes the enabled-state flag of the function which remains unused to the disabled-state flag in response to a response from the server apparatus to the request by the prohibition request unit and the permission request unit, which, in response to a user instruction, requests the server apparatus to permit use of the function with the flag changed from the enabled-state flag to the disabled-state flag by the changing unit. Moreover, the **Saito patent fails to teach or suggest the newly introduced claim feature of resetting the period in which the function with the enabled-state flag remains unused when that function is used.**

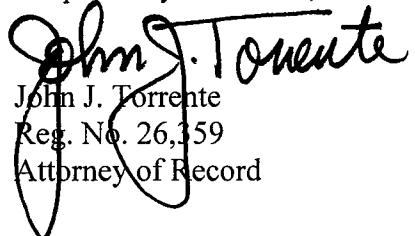
For the above reasons and those set forth in the Response After Final, applicant's amended claims 16, 22 and 24, and their respective dependent claims, patentably distinguish over the Saito patent. Accordingly, reconsideration of the claims is respectfully requested.

Applicant has filed concurrently herewith a Request For A Telephone Interview to permit applicant's undersigned attorney to discuss with the Examiner the Examiner's rejections, the Saito patent and applicant's remarks in the Response After Final and herein. In order to provide time for conducting the telephone interview, applicant has also requested in the RCE that the prosecution of the subject application be suspended for a period of three (3) months.

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Respectfully submitted,


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